

§ 659.1

- 659.9 Designation of oversight agency.
- 659.11 Confidentiality of investigation reports and security plans.

Subpart C—Role of the State Oversight Agency

- 659.13 Overview.
- 659.15 System safety program standard.
- 659.17 System safety program plan: general requirements.
- 659.19 System safety program plan: contents.
- 659.21 System security plan: general requirements.
- 659.23 System security plan: contents.
- 659.25 Annual review of system safety program plan and system security plan.
- 659.27 Internal safety and security reviews.
- 659.29 Oversight agency safety and security reviews.
- 659.31 Hazard management process.
- 659.33 Accident notification.
- 659.35 Investigations.
- 659.37 Corrective action plans.
- 659.39 Oversight agency reporting to the Federal Transit Administration.
- 659.41 Conflict of interest.
- 659.43 Certification of compliance.

AUTHORITY: 49 U.S.C. 5330.

SOURCE: 70 FR 22578, Apr. 29, 2005, unless otherwise noted.

Subpart A—General Provisions

§ 659.1 Purpose.

This part implements 49 U.S.C. 5330 by requiring a state to oversee the safety and security of rail fixed guideway systems through a designated oversight agency.

§ 659.3 Scope.

This part applies only to states with rail fixed guideway systems, as defined in this part.

§ 659.5 Definitions.

Contractor means an entity that performs tasks required on behalf of the oversight or rail transit agency. The rail transit agency may not be a contractor for the oversight agency.

Corrective action plan means a plan developed by the rail transit agency that describes the actions the rail transit agency will take to minimize, control, correct, or eliminate hazards, and the schedule for implementing those actions.

49 CFR Ch. VI (10–1–08 Edition)

FRA means the Federal Railroad Administration, an agency within the U.S. Department of Transportation.

FTA means the Federal Transit Administration, an agency within the U.S. Department of Transportation.

Hazard means any real or potential condition (as defined in the rail transit agency's hazard management process) that can cause injury, illness, or death; damage to or loss of a system, equipment or property; or damage to the environment.

Individual means a passenger; employee; contractor; other rail transit facility worker; pedestrian; trespasser; or any person on rail transit-controlled property.

Investigation means the process used to determine the causal and contributing factors of an accident or hazard, so that actions can be identified to prevent recurrence.

New Starts Project means any rail fixed guideway system funded under FTA's 49 U.S.C. 5309 discretionary construction program.

Oversight Agency means the entity, other than the rail transit agency, designated by the state or several states to implement this part.

Passenger means a person who is on board, boarding, or alighting from a rail transit vehicle for the purpose of travel.

Passenger Operations means the period of time when any aspect of rail transit agency operations are initiated with the intent to carry passengers.

Program Standard means a written document developed and adopted by the oversight agency, that describes the policies, objectives, responsibilities, and procedures used to provide rail transit agency safety and security oversight.

Rail Fixed Guideway System means any light, heavy, or rapid rail system, monorail, inclined plane, funicular, trolley, or automated guideway that:

(1) Is not regulated by the Federal Railroad Administration; and

(2) Is included in FTA's calculation of fixed guideway route miles or receives funding under FTA's formula program for urbanized areas (49 U.S.C. 5336); or

(3) Has submitted documentation to FTA indicating its intent to be included in FTA's calculation of fixed